

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of Oregon

FILED 15 MAR '17 14:29 USDC-ORP

United States of America

v.

Case No.

'17-MJ-24

Steven Gabriel Moos

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2004 to January 2008 in the county of _____ in the
_____ District of Oregon, the defendant(s) violated:

Code Section

Offense Description

18 USC 2423 (c)

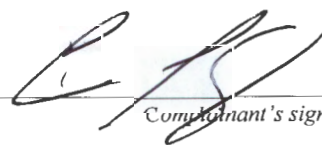
Engaging in Illicit Sexual Conduct in Foreign Places

18 USC 2423 (e)

Attempting to Engage in Illicit Sexual Conduct in Foreign Places

This criminal complaint is based on these facts:

Please see the attached Affidavit in Support of Probable Cause, which is incorporated by reference.

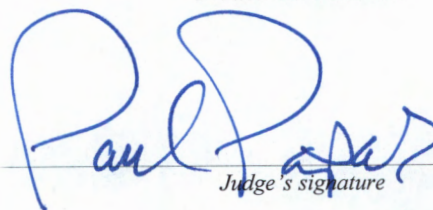
☒ Continued on the attached sheet.

Complainant's signature

Det. Chad Opitz, Beaverton Police Department

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/15/2017City and state: Portland, Oregon

Judge's signature

Honorable Paul J. Papak

Printed name and title

Affidavit in Support of Probable Cause

Introduction

1. This Affidavit is being offered in support of a Complaint regarding Steven Gabriel Moos' violation of 18 U.S.C. § 2423(c) and (e) (Engaging in Illicit Sexual Conduct in Foreign Places and Attempting to Engage in Illicit Sexual Conduct in Foreign Places).

2. Because this Affidavit is being offered for the limited purpose of establishing probable cause for the aforementioned charges, it does not contain all of the information known to me and other law enforcement agents regarding the investigations of Moos. Moreover, because this Affidavit seeks only to summarize parts of the investigations, the information contained in it is derived from a variety of sources, including, among other things, my personal investigation, my review of law enforcement reports regarding the investigations of Steven Moos, evidence obtained in the course of the investigations, conversations with others involved in the investigations, as well as both my training and experience and the training and experience of other law enforcement personnel with whom I have communicated.

Agent Background

3. I am a Police Officer for the City of Beaverton, County of Washington, State of Oregon. I have been a certified Police Officer in the State of Oregon for seventeen years. I have been employed as a Police Officer with the City of Beaverton Since April of 1999. I have a Bachelor's degree in Communications Arts from George Fox University in Newberg, Oregon. I have my advanced certificate as a police officer in Oregon from the Department on Public Safety Standards and Training (DPSST). I am currently assigned as a Detective in the Criminal Investigations Division and my current job assignments include, but are not limited to, investigation of sexual assaults, human and sex trafficking, child pornography, prostitution,

fraud, forgery, burglary, robbery, theft, assault, possession of controlled substances, delivery of controlled substances, manufacturing of controlled substances and like crimes. I was promoted as a Detective in the Criminal Investigations Division in 2006.

4. During my law enforcement career, I have received hundreds of hours of training in criminal investigations. This training took place at the Oregon Department of Public Safety, Standards and Training. Additionally, I have attended seminars and training through the Beaverton Police Department, Portland Police Bureau, Tigard Police Department, Federal Bureau of Investigations, Drug Enforcement Administration, Oregon State Police, The Washington County District Attorney's Office, and the Washington County Sheriff's Office.

5. I am also assigned as a Detective to the Washington County Major Crimes Team, which primarily investigate(s) homicide and officer involved shooting cases associated to police agencies within Washington County.

6. During my career as a Police Officer and Detective, I have been involved in multiple child pornography, robbery, serious assaults, rape, sexual abuse, child abuse investigations, many of which have resulted in the arrest and conviction of the suspect charged with felonies.

7. I am a Task Force Officer (TFO) of the United States Department of Justice, Federal Bureau of Investigation (FBI) Child Exploitation Task Force and currently investigate cases out of the Portland, Oregon, office of the FBI. The cases I investigate include, but are not limited to, violations of federal law, specifically Title 18, United States Code, Sections 1591, 1594, 2421 and 2423; Sex Trafficking of Children or by Force, Fraud, or Coercion; the Interstate Transportation of Individuals for the Purpose of Engaging in Prostitution; and Mann Act; and the Transportation of Minors to Travel Interstate to Engage in Prostitution; and violations of State of

Oregon laws, specifically 167.007 (Prostitution), 167.012 (Promoting Prostitution), and 167.017 (Compelling Prostitution); and violation of State of Oregon law 163.670, Using Child in Display of Sexually Explicit Conduct.

8. I have had extensive law enforcement training in numerous areas and specifically in human trafficking and specifically, the sex trafficking of minors. Some of my training includes: 2009 Innocence Lost Task Force Training (held by the FBI); 2009 National Center for Missing and Exploited Children, Training on Human Trafficking/Commercial Sexual Exploitation of Children; and 2010 and 2014 Forensic Interviewing of Juvenile Prostitutes.

9. I have been involved as an instructor in training classes for sex trafficking investigation. These training classes have been held in the state of Oregon and, in addition, around the United States.

10. Between March of 2006 and March of 2007, I worked as a full-time investigator on the Portland Division of the Federal Bureau of Investigation (FBI), Cyber Squad on the Innocent Images National Initiative (IINI) Task Force, where I investigated matters involving the sexual exploitation of children and the Internet as it relates to federal and state laws that criminalizes the receipt, possession, distribution, manufacturing and transmission of child pornography. I continued to work child pornography related cases if they are reported to the Beaverton Police Department. I have gained experience through training in seminars, classes and everyday work related to conducting these types of investigations.

Applicable Law

11. Title 18 United States Code § 2423 (c) makes it a federal crime for any United States citizen who travels in foreign commerce or resides, either temporarily or permanently, in a foreign country, and engages in any illicit sexual conduct with another person.

12. Title 18 United States Code § 2423 (e) makes it a crime to attempt (or conspire) to commit a violation of Title 18 United States Code § 2423 (c).

13. Title 18 United States Code § 2423 (f) defines the term "illicit sexual conduct" to include, among other things, "a sexual act (as defined in Section 2246) with a person under 18 years of age that would be in violation of chapter 109A if the sexual act occurred in the special maritime and territorial jurisdiction of the United States. . . ."

14. Title 18 United States Code § 2246 (2) defines the term "sexual act" to include, among other things, " the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person. . . ."

Probable Cause

15. In October 2016, an adult individual reported that s/he had been sexually abused by Steven Gabriel Moos since the victim was five or six years old.¹ The victim disclosed that the abuse began while Moos and the victim were located in The People's Republic of China, in approximately 2004. The victim further disclosed that Moos continued to sexually abuse him/her during the approximately four-year-long period in which both Moos and the victim were located in China.

¹ The victim's name and date of birth are known to me and are available to the Court upon request. This information—as well as other potentially identifying information—has been omitted from this publically filed document to protect the victim's identity.

16. According to the victim, the sexual abuse began with Moos giving him/her back and tummy rubs, and progressed to Moos touching the victim's genitals² with his (Moos') hands. The victim disclosed that, during the course of the sexual abuse in China, Moos would touch the victim's genitals and anus with his (Moos') fingers, under the victim's clothing. The victim also recalls Moos touching the victim's genitals and anal area with his (Moos') penis and stated that Moos would "rub" his (Moos') penis on those areas of the victim's body. The victim further reported that the abuse occurred until Moos departed China, approximately four years after his (Moos') arrival.

17. The victim made additional disclosures regarding Moos' sexual abuse of him/her after Moos and the victim departed China. Among other things, the victim reported that Moos "took [his/her] virginity" when the victim was 11 or 12 years old and that, following release from his (Moos') federal prison sentence, Moos resumed his sexual abuse of the victim, this time in Oregon.

18. Notably, Moos has been indicted and, I believe, is currently in trial for charges arising from his sexual abuse of a minor victim in Washington County.³

19. To date, the investigations of Moos have uncovered some corroborating evidence for the victim's allegations. Among other things, investigators have obtained a 2016 email that Moos appears to have written to the victim in which Moos appears to corroborate the victims'

² In an effort to protect the victim's privacy, I am using the term "genitals" as opposed to identifying whether the victim has male or female reproductive organs. I note, however, that I am using the term "genitals" in the Probable Cause section to refer only to either a penis or a vagina.

³ The identity of the victim in the Washington County case is known to me and will be disclosed to the Court prior to presenting the Complaint.

allegations of abuse. Moos states, among other things, that, “Once I found you to be a source of comfort, it took very little to tip it into an inappropriate zone (and you were an understandably curious [boy/girl]⁴ completely unaware that demanding back and tummy rubs could lead to trouble). Still, there is no excuse, but when there was no coercion and affections were returned, the harm was not evident--it really was not.”

20. Though the exact dates of Moos’ travel to China are difficult to determine because Moos was a fugitive from justice at the time and took steps to conceal his travel and identity, evidence indicates that the period of Moos’ presence in China is largely consistent with the victim’s allegations of abuse. Specifically, it is believed that Moos travelled from the United States to Hong Kong in March of 2004 and then entered mainland China via the Lo Wu border crossing.

21. Additional evidence has confirmed Moos’ presence in China during the relevant timeframe. For example, in October 2005 the American Citizen Services, United States Embassy, Beijing, China delivered a letter to Moos, via courier, to his Beijing office address, informing him that his U.S. Passports (numbers XXXXXX91 and XXXXXX08) had been revoked.⁵ Similarly, U.S. Embassy staff in Beijing reported seeing Moos in November of 2005 while, it is believed, Moos was living in a “expat community” in Beijing. It is further believed, based on investigation, that Moos remained in China (where the victim was also located) until approximately 2008.

⁴ To protect the victim’s privacy, I have replaced the gender-specific language in the original text of the quote.

⁵ Moos’ passport numbers have been redacted in the interest of privacy. These numbers are known to me and are available to the Court upon request.


22. In January 2008, Moos was detained while entering the United Arab Emirates but was subsequently released.

23. Consistent with the allegations of sexual abuse, investigation has indicated that the victim was in China during most or all of the relevant timeframe and that the victim eventually travelled to the United States in May 2010.

24. Finally, investigation has revealed that, at all relevant times, Moos was a United States Citizen. Among other things, I have learned that Moos was born in Indianapolis, Indiana, and was issued Social Security Number XXX-XX-3679.⁶ I also know, from the investigation, that Moos has been issued one or more U.S. Passports, as noted above.

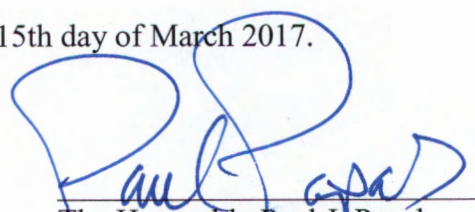
Conclusion

25. Accordingly, I believe that there is probable cause to believe that Steven Gabriel Moos violated 18 U.S.C. § 2423 (c) and (e) within the timeframe set forth in the attached Complaint.



Det. Chad Opitz
Beaverton Police Department;
Major Crimes Unit, Washington County;
Task Force Officer with the
Federal Bureau of Investigation

Subscribed and sworn to before me this 15th day of March 2017.



The Honorable Paul J. Papak
United States Magistrate Judge

⁶ Moos' Social Security Number is known to me and is available to the Court upon request.